

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 05-77155

CHINITA RENEE TRICE,

Chapter 7

Debtor.

Judge Thomas J. Tucker

---

**ORDER DENYING DEBTOR'S MOTION TO WAIVE  
THE FILING FEE FOR MOTION TO REOPEN (DOCKET # 12)**

This case is before the Court on a motion the Debtor filed on December 15, 2009 entitled "Application for Waiver of Chapter 7 Filing Fee for Individuals Who Cannot Pay the Filing Fee in Full or in Installments" (Docket # 12, the "Motion"), which the Court construes as a motion seeking waiver of the filing fee for Debtor's motion to reopen the case (*see* Docket # 10).

The Court does not have authority in this situation to waive this filing fee. This case was filed before the effective date of the "Bankruptcy Abuse Prevention and Consumer Protection Act of 2005," so the provision for waiver of a filing fee under 28 U.S.C. § 1930(f)(1) does not apply to this case. And there is no other provision of statute or rule that permits waiver of the filing fee for the motion to reopen the case in this situation (*e.g.*, Fed. R. Bankr. P. 4007(b)'s provision, stating that no filing fee is required to reopen in the situation specified there, does not apply here).

Accordingly,

IT IS ORDERED that the Motion (Docket # 12), is DENIED. The Court will not consider the Debtor's motion to reopen the case unless and until the Debtor pays the required filing fee for that motion.

**Signed on December 18, 2009**

/s/ Thomas J. Tucker

**Thomas J. Tucker**  
**United States Bankruptcy Judge**